

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

AMANDA HAASE,

Plaintiff,

v.

TRAVELERS INDEMNITY COMPANY,

Defendant.

Case No. C05-5403 RBL

ORDER GRANTING DEFENDANT'S  
MOTION FOR SUMMARY JUDGMENT

THIS MATTER comes on before the above-entitled Court upon Defendant's Motion for Summary Judgment [Dkt. #13].

Having considered the entirety of the records and file herein, and having considered that plaintiff has failed to file an opposition to the motion as required by Local Rule W.D. Wash. CR7(b)(2) and "such failure may be considered by the court as an admission that the motion has merit[ ]", *Id.*, the Court rules as follows:

Plaintiff filed this declaratory action seeking a ruling that defendant Travelers Indemnity Company ("Travelers") extend indemnity coverage to plaintiff for a default judgment entered in favor of plaintiff and against defendant's insured in an underlying action for sexual discrimination entitled *Haase v. Rick Sullivan, et al.*, in Clark County Superior Court. Travelers filed the instant Motion for Summary Judgment arguing that coverage does not exist for the claimed harm to the plaintiff. Travelers, in their reply memorandum, also points out that plaintiff has failed to oppose the motion, and that under Fed. R. Civ. P. 56(e) "an adverse party may not rest upon the mere allegations or denials of the adverse party's pleading, but the adverse party's response,


1 by affidavits or as otherwise provided in this rule, must set forth specific facts showing there is a genuine issue  
2 for trial.” Furthermore, “[i]f the adverse party does not so respond, summary judgment, if appropriate, shall  
3 be granted against the adverse party.” Id.

4 Because plaintiff has failed to oppose the motion as provided in Fed. R. Civ. P. 56(e) and this Court’s  
5 local rules, and because a review of the motion indicates that it is well-taken, it is hereby

6 **ORDERED** that Defendant’s Motion for Summary Judgment [Dkt. #13] is **GRANTED**. The Clerk  
7 shall enter judgment in favor of defendant and against plaintiff.

8 The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing  
9 pro se.

10 Dated this 19<sup>th</sup> day of December, 2005.

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13 RONALD B. LEIGHTON  
14 UNITED STATES DISTRICT JUDGE  
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